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Programme of activities of the International Decade of the World's Indigenous People

Programme budget for the biennium 2002-2003

Permanent Forum on Indigenous Issues

Programme budget implications of draft resolution A/C.3/57/L.7

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Introduction

1. At its 31st meeting on 31 October 2002, the Third Committee adopted draft resolution A/C.3/57/L.7. The Third Committee was informed of the programme budget implications of the draft resolution in a statement submitted by the Secretary-General (A/C.3/57/L.26).

2. In that statement, the Third Committee was invited to make known its priorities regarding the alternatives under consideration. These alternatives included the establishment of the Forum secretariat at a cost of $382,000 and the convening of the three-day, pre-sessional meeting at a cost of $30,800. If the total resources in the contingency fund are sufficient to finance both, they would both be implemented. However, if resources are insufficient, one or both may not be implemented, taking into account the priorities decided upon by the Third Committee. The Third Committee did not make known its priorities.

3. The requirements for the implementation of the draft resolution are described below.

II. Requests contained in the draft resolution

4. Under the terms of operative paragraph 1 of draft resolution A/C.3/57/L.7, the General Assembly would request the Secretary-General, in connection with draft

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decisions I to IV recommended by the Permanent Forum on Indigenous Issues at its first session (see E/2002/43 (Part I)-E/CN.19/2002/3 (Part I), chap. I, sect. A):

(a) To appoint a secretariat unit, in accordance with the budget procedures established by the General Assembly in its resolution 41/213 of 19 December 1986, within the Department of Economic and Social Affairs of the United Nations Secretariat in New York, to assist the Forum in carrying out its mandate, as defined in paragraph 2 of Economic and Social Council resolution 2000/22;

(b) To establish a voluntary fund for the Forum for the purpose of funding the implementation of recommendations made by the Forum through the Council, in line with paragraph 2 (a) of Council resolution 2000/22, as well as funding activities under its mandate, as defined in paragraph 2 (b) and paragraph 2 (c) of the same resolution.

5. Under the terms of operative paragraph 6 of draft resolution A/C.3/57/L.7, the General Assembly would decide to authorize an exceptional three-day, pre-sessional meeting of the members of the Forum from 7 to 9 May 2003.

6. It is recalled that, in its decision 2002/287 of 25 July 2002 on the secretariat of the Forum, the Economic and Social Council requested the Secretary-General to submit proposals to the General Assembly at its fifty-seventh session concerning the provision of adequate resources to support the secretariat unit.

7. It is also recalled that, in its decision 2002/286 of 25 July 2002, the Council requested the Secretary-General to make available the information requested in paragraph (e) of its decision 2001/316 of 26 July 2001 at least six weeks before its substantive session of 2003, without prejudging any outcome, in order for the Council to conclude at that substantive session the review of all existing mechanisms, procedures and programmes within the United Nations concerning indigenous issues, including the Working Group on Indigenous Populations, with a view to rationalizing activities, avoiding duplication and overlap, and promoting effectiveness.

III. Relationship of the proposed request to the medium-term plan for the period 2002-2005 and the proposed programme of work for the biennium 2002-2003

8. The activities to be carried out would relate to programme 7, Economic and social affairs, of the medium-term plan for the period 2002-2005 and section 9, Economic and social affairs, of the programme budget for the biennium 2002-2003.

IV. Modification of the approved programme budget for the biennium 2002-2003

9. In order to reflect the provisions of draft resolution A/C.3/57/L.7, the narrative of subprogramme 3, Social policy and development, of section 9, Economic and social affairs, of the approved programme budget for the biennium 2002-2003 would be modified as follows:

(a) In table 9.11, add a new sentence as follows:

Objective: Further, the subprogramme will increase awareness and enhance the integration and coordination of action on indigenous issues in the United Nations system;

and a new subparagraph (f) *reading*

Expected accomplishments	*Indicators of achievement*
(f) Increased capacity of the Permanent Forum on Indigenous Issues to carry out its programme of work.	(f) Satisfaction expressed by members of the Permanent Forum in relation to the support provided to the Forum at its second session in 2003.

(b) In paragraph 9.62, *add*

(a) Servicing of intergovernmental and expert bodies

Permanent Forum on Indigenous Issues

a. Substantive servicing of meetings (26);

b. Parliamentary documentation. Report of the Permanent Forum on Indigenous Issues on its second session;

(b) Other substantive outputs (RB/XB)

Reports on the six substantive key subject areas identified by the Permanent Forum at its first session (health, indigenous rights as human rights, economic and social development, education and culture, environment, and children and youth;

(c) International cooperation and inter-agency coordination and liaison

Participation of the secretariat of the Permanent Forum in meetings of the Inter-Agency Support Group and provision of support to the Chair; regular contacts will be pursued by the secretariat with relevant United Nations departments, offices and programmes and with entities of the United Nations system to promote the Permanent Forum's recommendations. In addition, the secretariat will raise awareness of the Forum's recommendations within other established inter-agency forums, such as the United Nations Development Group.

V. Proposals concerning the provision of adequate resources to support the Permanent Forum on Indigenous Issues

10. With the establishment of the Forum, the scope and nature of the activities related to indigenous issues to be carried out by the United Nations and the organizations of the United Nations system is set to expand significantly beyond the human rights area. In the report on its first session (E/2002/43 (Part I)-E/CN.19/2002/3 (Part I)), the Forum identified a number of proposals, objectives, recommendations and areas of possible future action. On that basis, the work of the secretariat of the Forum would include the following:

(a) Providing assistance and support to the Forum during its sessions;

(b) Coordinating inputs of the United Nations system relevant to the programme of work of the Forum;

(c) Representing and advocating the policies of the Forum before United Nations policy-making bodies, agencies, programmes and funds;

(d) Pursuing the integration of indigenous issues within the intergovernmental and inter-agency system;

(e) Consulting with representatives of Member States, representatives of indigenous organizations, academic institutions and others concerned with a view to implementing the programme of work of the Forum;

(f) Pursuing strategies for raising awareness of indigenous issues among non-governmental organizations, the media, academic institutions and civil society at large;

(g) Pursuing the mobilization, as necessary, of resources, including of voluntary financial contributions, for the implementation of the programme of work of the Forum;

(h) Regular liaison with and support to the Chair and Bureau as well as members of the Forum between sessions in pursuance of the mandate, work programme and recommendations of the Forum;

(i) Administering the voluntary fund to be established pursuant to operative paragraph 1 (b) of draft resolution A/C.3/57/L.7.

11. Following a review of the activities and functions to be carried out to implement the programme of work outlined by the Forum, and bearing in mind, as appropriate, the specific recommendations of the Forum as to the size and composition of its secretariat, it is considered that the Secretariat unit to be established to assist the Permanent Forum should include six posts, which would be as follows: four posts at the Professional level (one D-1, one P-4, one P-3, one P-2) and two at the General Service level. The functions of the six posts would include the following:

Director (D-1)

- Provide overall coordination of assistance and support to the mandate and programme of work of the Forum, and provide overall direction and management of the secretariat.
- Engage in high-level discussions with members of the Forum, Member States and United Nations entities.
- Provide policy direction and guidance for establishing and maintaining linkages on indigenous issues within the United Nations system, as well as with other intergovernmental organizations, indigenous organizations, non-governmental organizations and other relevant actors, including academic institutions.
- Coordinate and ensure the preparation of and follow-up to sessions of the Forum.
- Coordinate the preparation of reports to the Economic and Social Council.

- Represent the Forum secretariat at international, regional and national meetings on indigenous issues.
- Act as team leader of the intradepartmental task force on indigenous issues within the Department of Economic and Social Affairs.
- Administer the voluntary fund for the Forum, develop proposals for the approval of the Forum and implement the funded projects.

Programme officers (one P-4, one P-3 and one P-2)

- Follow up the effective implementation of the approved programme of activities.
- Collect and analyse information and data from the United Nations system, and prepare relevant reports and studies pursuant to the recommendations of the Forum.
- Organize meetings for the members of the Forum.
- Prepare the annual report to the Economic and Social Council.
- Undertake research projects.
- Establish and maintain partnerships with other experts and stakeholders (Governments, research institutes, academia, United Nations system and other international organizations, non-governmental organizations, the private sector etc.) to deal with issues relating to indigenous peoples.
- Raise awareness and promote the integration and coordination of activities relating to indigenous issues within the United Nations system, including coordination of meetings within the United Nations system.
- Review and analyse reports of organizations of the United Nations system and country teams.
- Prepare briefing notes on indigenous issues.
- Organize and maintain a relevant clearing house database on indigenous issues and a database on indigenous non-governmental organizations.
- Prepare and disseminate information on indigenous issues.
- Contribute to the personnel and financial management of the secretariat.

Administrative assistants (two General Service)

- Assist the Director and the other Professional staff.
- Respond to inquiries about the secretariat.
- Assist the members of the Permanent Forum during their visits to United Nations Headquarters.
- Day-to-day office administration responsibilities and procedures.

12. Within the United Nations Secretariat, activities related to indigenous people, including coordination, have heretofore been carried out exclusively by the Office of the United Nations High Commissioner for Human Rights. That Office was

designated the lead agency for the preparations for the Forum. The mandates currently entrusted to the Office have not been modified in the light of the establishment of the Forum. As a result, it is not presently considered possible to redeploy any of the resources currently available in the Office of the High Commissioner for activities related to mandates on indigenous peoples. Those resources include one P-3 and one P-2 post, as well as one post at the P-4 level which is used for the leader of a team on minorities and indigenous mandates. The mandates currently entrusted to the Office of the High Commissioner are the following:

- Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights (Economic and Social Council resolution 1982/34).
- Working group of the Commission on Human Rights on the draft declaration on the rights of indigenous peoples (Council resolution 1995/32).
- International Decade of the World's Indigenous People (General Assembly resolution 48/163), of which the Office of the High Commissioner is the Coordinator.
- Indigenous fellowship programme (General Assembly resolution 50/157, annex, para. 13).
- Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people (Commission on Human Rights resolution 2001/57).
- Voluntary Fund for Indigenous Populations (Assembly resolution 40/131).
- Voluntary Fund for the International Decade (Assembly resolution 48/163).
- Technical assistance to indigenous peoples (paragraph 30 of section II of the Programme of Action adopted by the World Conference on Human Rights (A/CONF.157/24 (Part I), chap. III)).
- Implementation of recommendations of the Permanent Forum relating to human rights.

13. There may be changes to these mandates in the future, following the review to be undertaken by the Economic and Social Council mentioned in paragraph 7 above. Predictions on this matter cannot therefore be made at the present stage.

14. Among the proposals, objectives, recommendations and areas of possible action identified by the Forum in its report (E/2002/43 (Part I)-E/CN.19/2002/3 (Part I)), human rights are dealt with in paragraphs 15 to 24. Only three of the new activities for the Forum secretariat would fall within the currently defined scope of activities of the Office of the High Commissioner: (a) preparation of a report by the Secretary-General on how indigenous issues have been addressed in United Nations Charter-based mechanisms and treaty bodies (para. 15); (b) organization of a technical seminar with members of the Forum, the members of the Working Group on Indigenous Populations and the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (para. 17); and (c) organization of activities with indigenous peoples in Africa and Asia (para. 24). These three activities are new and do not duplicate other activities currently carried out by the Office of the High Commissioner. Paragraphs 16 and 18 to 23 of the

report are addressed to States or organizations and agencies of the United Nations system, or request priority-setting within the work of existing human rights mechanisms. Activities to be undertaken by other departments and offices of the Secretariat and organizations of the United Nations system are identified in paragraphs 3 to 14 and 25 to 32 of the report.

15. In that connection, it is recalled that the Inter-Agency Support Group for the Forum has been established. The Group met in 2002, discussed ways of supporting the Forum and reported on its deliberations to Governments and indigenous peoples (see E/2002/68, paras. 49-58). It was decided that the Group would meet at least twice a year, with a view to ensuring that the Forum received concerted and coordinated assistance from the United Nations system. The Inter-Agency Support Group is composed of various United Nations departments and organizations, including the Department of Public Information, the Office of the United Nations High Commissioner for Human Rights, the United Nations Human Settlements Programme, the United Nations Environment Programme, the United Nations Institute for Training and Research, the United Nations Children's Fund, the United Nations Population Fund, the United Nations Development Programme, the International Labour Organization, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the World Intellectual Property Organization, the secretariat of the Convention on Biological Diversity, the World Bank and the World Trade Organization. The secretariat of the Permanent Forum will provide support to the Chair of the Group, which rotates among organizations.

16. In line with Economic and Social Council decision 2002/287 and upon reviewing the activities to be carried out for the second session of the Permanent Forum and in support of the Forum in 2004 and beyond, it is proposed that the secretariat be established in two stages. The first stage would be the establishment of one D-1, one P-4 and one General Service post as at 1 January 2003; the second stage would consist of the establishment of the remaining three posts (one P-3, one P-2 and one General Service) as part of the proposed programme budget for the biennium 2004-2005.

17. This two-stage proposal is based on the following considerations:

(a) The Economic and Social Council has requested that the secretariat unit be established within the Department of Economic and Social Affairs. While the Department can accommodate the unit, it does not have the expertise and absorptive capacity to carry out the full range of activities that would be required to provide services to the Forum at its future sessions. The Department is in a position to provide only overall management and administrative support to the Forum secretariat, and will establish a web site devoted to indigenous issues. The limited expertise available in the Department in the substantive areas identified by the Forum will be made available to the Forum through the establishment of an intradepartmental task force. It is envisaged that the incumbent of the D-1 post proposed to be established as head of the secretariat unit will be the team leader of the task force;

(b) Taking into account the time required to recruit staff for the three core posts proposed for establishment in 2003, the Office of the United Nations High Commissioner for Human Rights will, on an ad hoc basis, put its substantive expertise on indigenous issues and its experience in servicing the first session of the

Forum at the disposal of the Department of Economic and Social Affairs in connection with the provision of services to the second session of the Forum and for the follow-up and implementation during 2003 of the recommendations that the Forum may make at that session;

(c) The preparatory work to be carried out in respect of the second session of the Forum is expected to be of a lesser scope than the work anticipated for the following sessions. For that reason, it is considered that the resources which would be available through the three posts proposed for establishment in 2003 and the assistance to be provided by other components of the Department of Economic and Social Affairs and the Office of the High Commissioner will be sufficient to carry out the preparatory work for the second session and the follow-up in 2003 of the recommendations that the Forum may make at its second session;

(d) The Secretariat intends to fill the three new posts expeditiously in 2003. The incumbents of these posts will then assume full responsibility for the follow-up to and implementation of the recommendations of the Forum at its second session, with the assistance of the intradepartmental task force. In 2004, these resources would be strengthened with the three additional posts to be included in the proposed programme budget for the biennium 2004-2005;

(e) Subject to the decision that the Economic and Social Council may take following the review that it will carry out in accordance with its decisions 2001/316 of 26 July 2001 and 2002/286, it is not anticipated that the Office of the High Commissioner would be in a position to continue providing assistance to the Department of Economic and Social Affairs and to the secretariat of the Forum beyond 2003. For this reason, it is proposed that the remaining posts of the Forum secretariat be established as at 1 January 2004.

VI. Estimates of resource requirements

18. The estimates of resource requirements for 2003 to implement the above proposal are summarized in the table below. The first column provides estimates of the costs that would be incurred if all six of the posts proposed for the Secretariat unit were to be established in 2003 (at 2003 costs). The second column provides the estimates related to a phased establishment of the secretariat, with just the first three posts proposed for establishment in 2003.

Requirements for the secretariat of the Forum by section of the programme budget for the biennium 2002-2003 and by object of expenditure

(2003 requirements in United States dollars)

	Number of posts	Six posts (one D-1, one P-4, one P-3, one P-2 and two General Service posts)	Three posts (one D-1, one P-4 and one General Service/Other Level post)
A.	**Secretariat of the Forum**		
	Section 9, Economic and social affairs		
	Posts[a]	343 100	198 800
	Other staff costs for additional support at peak periods and replacement of staff on sick or maternity leave	15 000	15000
	Consultants and experts for specialized service not available in the Secretariat and for meetings of the Forum, as relevant	20 000	20 000
	Travel of staff for coordination and follow-up of activities relevant to indigenous issues, including travel of staff from the Office of the United Nations High Commissioner for Human Rights to New York to assist the Forum secretariat and the Department of Economic and Social Affairs	20 000	20 000
	Contractual services for external printing and translation of publications	10 000	10 000
	General operating expenditures, including rental and maintenance of office equipment, communications, telephone and facsimile charges and maintenance of office automation and data-processing equipment[b]	21 800	10 500
	Supplies and materials[b]	2 400	1 200
	Furniture and equipment[b]	39 100	10 300
	Subtotal	**471 400**	**285 800**
B.	**Section 27 D, Office of Central Support Services**		
	Rental of premises[b]	60 400	37 900
	Alterations/improvements[b]	92 600	58 300
	Subtotal	**153 000**	**96 200**
C.	**Section 32, Staff assessment**		
	Staff assessment	70 300	43 000
D.	**Income section 1, Income from staff assessment**		
	Income from staff assessment	(70 300)	(43 000)
	Grand total (A-D)	**624 400**	**382 000**

[a] Costs of posts are calculated at vacancy rates of 50 per cent for Professional posts and 35 per cent for General Service posts; all other requirements are costed on an indicative basis, bearing in mind the nature of the work to be undertaken by the secretariat of the Forum.

[b] Calculated on the basis of standard costs.

19. The additional resource requirements entailed by the three-day, pre-sessional meeting mentioned in operative paragraph 6 of draft resolution A/C.3/57/L.7 include $30,800 under section 9, Economic and social affairs, for the daily subsistence allowance for the 16 members of the Forum to attend the exceptional three-day working meeting to be held prior to the second session of the Forum in May 2003.

20. The additional conference-servicing costs for the three-day meeting are estimated at $98,000 under Section 2, General Assembly affairs and conference services. Every effort would be made to accommodate the meeting in New York from 7 to 9 May 2003 within existing conference-servicing resources. Since the availability of meeting servicing resources inevitably involves a degree of uncertainty as to meetings schedules, the financial impact of servicing the three-day meeting will only be known at the end of 2003. On that basis, no additional resources under section 2, General Assembly affairs and conference services would be requested at the present stage.

VII. Potential for absorption during the biennium 2002-2003

21. The resources approved under section 9, Economic and social affairs, and section 22, Human rights, which would be made available for the substantive servicing of the Forum in 2003 have been described above.

22. No resources have been provided for the establishment in 2003 of a Secretariat unit for the Forum under section 9, Economic and social affairs, of the programme budget for the biennium 2002-2003. It would therefore be necessary that an amount of $382,000 be provided by the General Assembly through additional appropriations.

23. No resources have been included in the programme budget for the biennium 2002-2003 to cover the requirements of $30,800 for the daily subsistence allowance for the members of the Forum to attend the exceptional three-day, pre-sessional meeting to be held from 7 to 9 May 2003. At the present stage, it is not possible to anticipate whether those requirements could be absorbed from within the resources approved by the General Assembly for the current biennium. It would therefore be necessary that they be provided through additional appropriations.

VIII. Contingency fund

24. It will be recalled that, under the procedure established by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established each biennium to accommodate additional expenditures derived from the legislative mandates not provided for in the approved programme budget. Under that procedure, if additional expenditures are proposed that exceed the resources available within the contingency fund, the activities concerned can be implemented only through the redeployment of resources from low-priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred to a later biennium.

25. Under the procedure for operation of the contingency fund outlined in section C of the annex to General Assembly resolution 42/211 of 21 December 1987, the Secretary-General would, in his consolidated statement of all statements of

programme budget implications and revised estimates, make proposals for revising the consolidated amount so that it would not exceed the available balance. In so doing, the Secretary-General would be guided by the indications of alternatives included in each statement of programme budget implications and in each proposal for revised estimates. The respective legislative bodies should take action on such alternatives at the time they adopt the decision or resolution in question.

26. To date, it has not been possible to identify activities under section 9 or section 27 D that could be terminated, deferred, curtailed or modified during the biennium.

IX. Recommendation

27. The Fifth Committee may wish to inform the General Assembly that: (a) should it adopt the draft resolution in A/C.3/57/L.7, there would be financial implications of up to $412,800 arising for the regular budget in the biennium 2002-2003; and (b) any decision to be made as regards additional appropriations for the biennium 2002-2003 would be addressed by the Committee at a subsequent stage, during its review of the consolidated statement of all statements of programme budget implications and revised estimates.